

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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RONALD LOADHOLT,

Plaintiff,

v.

ORDER  
09-CV-553A

ROBERT A. KIRKPATRICK, et al.,

Defendants.

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The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On June 12, 2012, Magistrate Judge Scott filed a Report and Recommendation, recommending that the case be dismissed with prejudice based upon plaintiff's failure to prosecute pursuant to Rule 41 of the Federal Rules of Civil Procedure.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, the case is dismissed with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure. The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: July 24, 2012